

REMARKS

The claims are 22-59 with claims 22 and 48-52 being independent. Claims 1-21 have been cancelled without prejudice or disclaimer. The specification has been amended to recite the domestic priority data for this application.

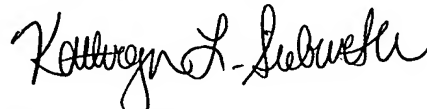
Support for claims 22-59 may be found throughout the subject specification. For example, support for claims 22-26 may be found in original claims 1-12. Support for claims 27-34 may be found in the specification at page 6, line 24 to page 7, line 6. Support for claim 34 may be found in the specification at page 6, lines 21-33. Support for claims 35-38 may be found in the specification at page 2, lines 20-26. Support for claims 39-44 may be found in the specification at page 3, line 29 to page 4, line 7. Support for claims 45-47 may be found in the specification at page 3, line 29 to page 4, line 7 and at page 6, line 19 to page 7, line 6. Support for claim 48 may be found in the specification at page 5, line 22. Support for claims 49-52 may be found in original claims 14-21 and in the specification at page 6, line 24 to page 7, line 6. Support for claims 53-58 may be found in the specification at page 3, line 29 to page 4, line 7. Support for claim 59 may be found in the specification at page 10, lines 10-15. No matter has been added.

For the avoidance of doubt, Applicant notes that, as set forth in the specification, "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione" (or "Compound (I)") may exist in one of several tautomeric forms, as individual tautomeric forms or as mixtures thereof, all of which are encompassed by the term "Compound (I)" or "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione". Furthermore, 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione contains a chiral atom, and therefore can exist in up to two stereoisomeric forms. The term "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione" (or "Compound (I)") also encompasses all of these isomeric forms, whether as individual isomers or as mixtures of isomers, including racemates. See the specification at page 4, lines 20-25. Accordingly, when reference is made to "Compound (I)", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione", or to "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, or a tautomer thereof", or to "said 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione ", all tautomeric and isomeric forms of the compound are intended to be encompassed.

Additionally for the avoidance of doubt, as set forth in the specification, when reference is made to scalar amounts, including mg amounts and % weight amounts, of "5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in a pharmaceutically acceptable form" (or as in the claims: "said 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione in a pharmaceutically acceptable form"), the scalar amount referred to is made in respect of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione per se: for example, 2 mg of Compound (I), or 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione, in the form of the maleate salt is that amount of maleate salt which contains 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione (not: 2 mg of 5-[4-[2-(N-methyl-N-(2-pyridyl)amino)ethoxy]benzyl]thiazolidine-2,4-dione maleate salt). See the specification, page 5, lines 17-21.

Favorable consideration and early passage to issue are respectfully requested.

Respectfully submitted,



Kathryn L. Sieburth
Attorney for Applicants
Registration No. 40,072

GLAXOSMITHKLINE
Corporate Intellectual Property UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5012
Facsimile (610) 270-5090

N:\kls\cases\IP31828C3\Prelim Amend.doc